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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                                      |   |  |
|--------------------------------------|---|--|
| MARY L. CLIPPARD,                    | ) |  |
|                                      | ) | Cause No.: 4:10-cv-2438 - JCH                      |
| Plaintiff,                           | ) |  |
|                                      | ) | Removed from 21 <sup>st</sup> Circuit Court of the |
|                                      | ) | County of St. Louis, Missouri                      |
| v.                                   | ) | No.: 10SL-CC04317                                  |
|                                      | ) |  |
| VERIZON SERVICES OPERATIONS, INC.    | ) |  |
| (previously designated GTE Midwest   | ) |  |
| Incorporated d/b/a Verizon Midwest), | ) |  |
|                                      | ) |  |
| Defendant/Third-Party Plaintiff,     | ) |  |
|                                      | ) |  |
| v.                                   | ) |  |
|                                      | ) |  |
| K-MART CORPORATION,                  | ) |  |
|                                      | ) |  |
| Third-Party Defendant.               | ) |  |

**FILING MEMO**

COMES NOW, Defendant/Third-Party Plaintiff, Verizon Services Operations, Inc., by and through its attorneys, Beth C. Boggs, Kevin P. Clark, and Boggs, Avellino, Lach & Boggs, L.L.C., and hereby dismisses its claims against Third-Party Defendant, K-Mart Corporation, with prejudice. Each party shall bear their own costs.

Respectfully submitted,

**VERIZON SERVICES OPERATIONS, INC.**

By: /s/ Kevin P. Clark

Beth C. Boggs, #43089

Kevin P. Clark, #53811

Boggs, Avellino, Lach & Boggs, L.L.C.

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**Attorneys for Defendant**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF electronic filing system this \_\_\_\_ day of January, 2012, to:

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**Attorney for Third-Party Defendant**

**K-Mart Corporation**

/s/ Kevin P. Clark